

Appl. No. 10/615,651  
Resp. dated May 23, 2005  
Reply to Office Action of February 23, 2005

### REMARKS

Favorable reconsideration is respectfully requested in light of the above amendments and the following comments. The Abstract has been amended to paraphrase the process steps outlined in originally filed claim 1. Claim 1 has been amended to include the limitations of claim 12, which has subsequently been canceled. No new matter has been added as a result of these amendments.

The Examiner has objected to the Abstract. Applicant has amended the Abstract accordingly. Favorable reconsideration is respectfully requested.

Applicant respectfully traverses the Examiner's rejection of claims 1, 3, 11 and 13 under 35 U.S.C. §102(b) as anticipated by Stevens, U.S. Patent No. 3,485,234, hereinafter Stevens '234. In order to anticipate, the cited reference must disclose each and every claimed element. Stevens '234 fails to do so.

In particular, claim 1 (from which claims 3, 11 and 13 depend) requires process steps not shown by Stevens '234. Claim 1 requires that a first polymer segment be secured over a braid layer. The braid layer is cut through at a cutting position that is proximate (near) a distal end of the first polymer segment, and the braid layer extending distally of the cutting position is removed. A second polymer segment is then secured over the braid layer such that the second polymer segment extends over the first polymer segment and also extends distally of the cutting position.

Stevens '234 does not disclose these process steps, contrary to the Examiner's assertions. Stevens '234 extrudes a first polymer layer, places a braid over the first polymer layer, and then extrudes a second polymer layer over the braid. The assembly is cut to length, and a distal tip is attached by removing a small portion of the second polymer layer.

At a minimum, Stevens '234 does not describe securing a second polymer segment over the braid such that the second polymer segment also extends over the first polymer segment, which is itself positioned over the braid. While Stevens '234 does discuss extruding first and second polymer layers, the first polymer layer is under the braid while the second polymer layer is over the braid. Stevens '234 cannot be considered as securing a second polymer segment over a first polymer segment, both first and second polymer segments being over (exterior to) the braid.

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While Stevens '234 does discuss positioning the proximal end of the distal tip over the distal end of the braid, Applicant notes that the distal tip appears to abut the second polymer layer, rather than extending over it, and thus the distal tip cannot be considered as equivalent to the claimed second polymer segment.

Stevens '234 does not disclose each and every claimed process limitation and therefore cannot be considered as anticipating claim 1. Claims 3, 11 and 13 depend from and further limit claim 1 and add additional process limitations, and are likewise patentable over Stevens '234. Favorable reconsideration is respectfully requested.

Applicant respectfully traverses the Examiner's rejection of claim 1 under 35 U.S.C. §102(b) as anticipated by Stevens, EP 0 841 072, hereinafter Stevens '072. Claim 1 has been amended to include the process limitations of claim 12, thereby rendering the rejection moot. Favorable reconsideration is respectfully requested.

Applicant respectfully traverses the Examiner's rejection of claims 2-5, 7 and 9-13 under 35 U.S.C. §103(a) as unpatentable over Stevens, EP 0 841 072 (Stevens '072), in view of Wilson, U.S. Patent No. 5,951,929. Claim 1 is patentable over Stevens '072 as Stevens '072 does not disclose or suggest the process limitations originally found in claim 12. Claims 2-5, 7 and 9-13 depend from and further limit claim 1, and similarly are patentable over Stevens '072. Wilson is not believed to remedy the noted shortcomings of Stevens '072. Favorable reconsideration is respectfully requested.

Applicant respectfully traverses the Examiner's rejection of claim 6 under 35 U.S.C. §103(a) as unpatentable over Stevens, EP 0 841 072 (Stevens '072), in view of Wilson, U.S. Patent No. 5,951,929, and further in view of Zadno-Azizi, U.S. Patent Publication No. 2004/0015150. Claim 6 depends from and further limits claim 1, and similarly is patentable over Stevens '072. Neither Zadno-Azizi nor Wilson are believed to remedy the noted shortcomings of Stevens '072. Favorable reconsideration is respectfully requested.

Applicant respectfully traverses the Examiner's rejection of claim 8 under 35 U.S.C. §103(a) as unpatentable over Stevens, EP 0 841 072 (Stevens '072), in view of Ashiya et al., U.S. Patent No. 5,947,925. Claim 8 depends from and further limits claim 1, and similarly is patentable over Stevens '072. Ashiya et al. are not believed to remedy the noted shortcomings of Stevens '072. Favorable reconsideration is respectfully requested.

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Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Pu Zhou

By his Attorney,

Dated: 5/23/05



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